

APPLICANT(S): RODYUSHKIN, Konstantin et al.

SERIAL NO.: 10/800,732

FILED: March 16, 2004

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#### REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application is respectfully requested.

Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

#### Status of Claims

Claims 1 – 41 are pending in the application. Claims 27 – 32 have been allowed. Claims 6 – 17, 23, and 26 have been objected to. Claims 1 – 5, 18 – 22, 24, 25 and 33 – 41 have been rejected. Claims 2 – 6, 11, 17, 23, and 26 have been amended.

Claims 1, 18 – 22, 24, 25, and 33 – 41 have been canceled without prejudice. In making this cancellation without prejudice, Applicants reserve all rights in these claims to file divisional and/or continuation patent applications.

#### Information Disclosure Statement

On page 2 of the Office Action, the Examiner noted that the Information Disclosure Statement filed on March 16, 2004 fails to comply with 37 CFR 1.98(a)(2). The Examiner noted that the reference entitled "Open Source Computer Vision Library", <http://www.intel.com/research/mrl/research/opencv/> was not considered.

Applicants are currently clarifying the relevance of the "Open Source" reference, and will shortly file an updated Information Disclosure Statement, if required.

#### Allowable Subject Matter

In the Office Action, the Examiner stated that claims 6 – 17, 23, and 26 would be allowable if rewritten in independent form and that claims 27 – 32 were allowed.

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Claims 6, 11, 17, 23, and 26 have been rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicants respectfully assert that this amendment does not narrow the scope of claims 6 – 17, 23, and 26.

### CLAIM REJECTIONS

#### 35 U.S.C. § 101 Rejections

In the Office Action, the Examiner rejected claims 36 – 41 under 35 U.S.C. § 101.

As claims 36 – 41 have been cancelled without prejudice, this rejection is now moot.

#### 35 U.S.C. § 102 Rejections

In the Office Action, the Examiner rejected claims 1, 3 – 5, and 36 – 38 under 35 U.S.C. § 102(e), as being anticipated by Yuille et al.

Claims 3 – 5 have been amended to depend from claim 6, which has been rewritten in independent form, and which is therefore allowable. Since claims 2 – 5 depend from allowable claim 6, these claims are allowable for the same reasons.

As claims 1 and 36 – 38 have been cancelled without prejudice, the 35 U.S.C. § 102 rejection with respect to these claims is now moot.

#### 35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 2, 18 – 22, 24, 25, 33 – 35, and 39 – 41, under 35 U.S.C. § 103(a), as being unpatentable over Yuille et al. in view of either Yan et al., Malciu et al., Shoepflin, Moulton, or some combination thereof.

Claim 2 has been amended to depend from claim 6, which as discussed has been rewritten in independent form, and which is therefore allowable. Since claim 2 depends from allowable claim 6, this claim is allowable for the same reasons.

As claims 18 – 22, 24, 25, 33 – 35, and 39 have been cancelled without prejudice, the 35 U.S.C. § 103 rejection with respect to these claims is now moot.

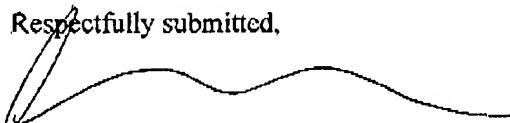
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In view of the foregoing amendments and remarks, the pending claims are deemed to be allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

No fees are believed to be due in connection with this paper. However, if any such fees are due, please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,

  
Caleb Pollack  
Attorney/Agent for Applicant(s)  
Registration No. 37912

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Pearl Cohen Zedek Latzer, LLP  
1500 Broadway, 12th Floor  
New York, New York 10036  
Tel: (646) 878-0800  
Fax: (646) 878-0801